

**ASSEMBLY BILL**

**No. 2601**

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**Introduced by Assembly Member Morrell**

February 21, 2014

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An act to amend Section 100506 of the Government Code, relating to the California Health Benefit Exchange.

LEGISLATIVE COUNSEL'S DIGEST

AB 2601, as introduced, Morrell. California Health Benefit Exchange: appeals.

Existing law created the California Health Benefit Exchange (Exchange) as an independent public entity in the state government, not affiliated with an agency or department. The Exchange is governed by an executive board consisting of 5 members. Existing law requires the board to establish an appeal process for prospective and current enrollees of the Exchange that complies with all requirements of the federal Patient Protection and Affordable Care Act concerning the role of a state Exchange in facilitating federal appeals of Exchange-related determinations.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 100506 of the Government Code is  
2     amended to read:

1     100506. (a) The board shall establish an appeals process for  
2 prospective and current enrollees of the Exchange that complies  
3 with all requirements of the federal act concerning the role of a  
4 state Exchange in facilitating federal appeals of Exchange-related  
5 determinations. ~~In no event shall the~~ *The* scope of those appeals  
6 *shall not* be construed to be broader than the requirements of the  
7 federal act *in any event*. Once the federal regulations concerning  
8 appeals have been issued in final form by the United States  
9 Secretary of Health and Human Services, the board may establish  
10 additional requirements related to appeals, provided that the board  
11 determines, prior to adoption, that any additional requirement  
12 results in no cost to the General Fund and no increase in the charge  
13 imposed under subdivision (n) of Section 100503.

14     (b) The board shall not be required to provide an appeal if the  
15 subject of the appeal is within the jurisdiction of the Department  
16 of Managed Health Care pursuant to the Knox-Keene Health Care  
17 Service Plan Act of 1975 (Chapter 2.2 (commencing with Section  
18 1340) of Division 2 of the Health and Safety Code) and its  
19 implementing regulations, or within the jurisdiction of the  
20 Department of Insurance pursuant to the Insurance Code and its  
21 implementing regulations.